IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

FRIDAY, THE 13TH APRIL 2007 / 23RD CHAITHRA 1929

Bail Appl..No. 2240 of 2007()

(C.R.No.111/2006 OF NEDUMANGAD EXCISE RANGE)

PETITIONER/2ND ACCUSED:

NIRMALA, D/O.SARASAMMA,
AGED 37 YEARS, CHEMBUVILAKUZHI THADATHARIKATHU VEEDU, EANCHAPPURI, ARYANAD.

BY ADV. SRI.NAGARAJ NARAYANAN
SRI.SAIJO HASSAN
SRI. SABU SREEDHARAN

RESPONDENTS: STATE:

STATE OF KERALA, REPRESENTED BY THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI. K.S.SIVAKUMAR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 13/04/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

B.A. No. 2240 OF 2007

Dated this the 13th day of April, 2007

O R D E R

Petitioner, who is the 2nd accused in C.R.No.111/06 of Nedumangad Excise Range for an offence punishable under section 8(2) of the Abkari Act for allegedly having been found in possession of 20 litres of illicit arrack on 2.11.06, seeks anticipatory bail.

2. The learned Public Prosecutor opposed the application.

3. Anticipatory bail cannot be granted in a case of this nature. There is no reason why the petitioner should not surrender before the Magistrate having jurisdiction and seek regular bail. Accordingly, if the petitioner surrenders before the Magistrate concerned and files an application for regular bail, within two weeks from today, the same shall be considered and disposed of, preferably on the same date on which it is filed, bearing in mind the decision of this court reported in ***Sukumari Vs. State of Kerala*** [2001 (1) KLT 22].

This application is disposed of as above.

(V. RAMKUMAR, JUDGE)

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